

POLICE OFFICER'S AND FIRE FIGHTER'S SURVIVOR TUITION ACT (EXCERPT)
Act 195 of 1996

390.1243 Michigan police officer or fire fighter killed in line of duty; tuition waiver for child and surviving spouse; requirements.

Sec. 3. (1) Beginning in the 1996-1997 academic year, and subject to the limitations in subsections (2), (3), and (4), a state institution of higher education shall waive tuition for each child and surviving spouse of a Michigan police officer or Michigan fire fighter who has been or is killed in the line of duty if the child or surviving spouse meets all of the following requirements:

(a) Applies, qualifies, and is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate.

(b) Is a legal resident of the state for at least the 12 consecutive months immediately preceding his or her application. For an individual who is a dependent of his or her parent, residency status shall be determined by the parent's residency. For an individual who is not a dependent, residency status shall be determined in the same manner as under title IV of the higher education act of 1965, Public Law 89-329, 79 Stat. 1232.

(c) Applies to the department for tuition waiver under this act and provides evidence satisfactory to the department that he or she is the child or the surviving spouse of a Michigan police officer or Michigan fire fighter who was killed in the line of duty, that the course or courses for which he or she is seeking a tuition waiver meet the requirements of subsection (2), and that he or she meets the other requirements of this section.

(d) For a child of a Michigan police officer or Michigan fire fighter who was killed in the line of duty, applies under subdivision (c) for the first time before the age of 21.

(e) Is certified by the financial aid officer at the state institution of higher education as needing the tuition waiver in order to meet recognized educational expenses. If the child's or surviving spouse's family income, excluding any income from death benefits attributable to the Michigan police officer's or Michigan fire fighter's death, is below 400% of poverty level under federal poverty guidelines published by the United States department of health and human services, income from any death benefits accruing to the child or surviving spouse as a result of the Michigan police officer's or Michigan fire fighter's death shall not be counted as family income in determining financial need under this subdivision.

(f) Maintains satisfactory academic progress, as defined by the state institution of higher education, for each term or semester in which he or she is enrolled. The satisfactory progress definition used by an institution for federal student assistance programs under title IV of the higher education act of 1965 is acceptable for the purposes of this act.

(g) Has not achieved a bachelor's degree and has received tuition reimbursement under this act for less than 124 semester credits or 180 term credits at an institution of higher education.

(2) A state institution of higher education shall waive tuition under this act only for courses that are applicable toward the degree or certificate requirements of the program in which the child or surviving spouse is enrolled.

(3) A child or surviving spouse of a Michigan police officer or Michigan fire fighter who was killed in the line of duty is eligible for tuition waiver under this section for not more than a total of 9 semesters or the equivalent number of terms or quarters.

(4) Tuition shall be waived only to the extent that the tuition is not covered or paid by any scholarship, trust fund, statutory benefit, or any other source of tuition coverage available to the person eligible for a waiver under this act.

History: 1996, Act 195, Imd. Eff. May 15, 1996.